

*My letter of 10/24
re: H. by Robert*

October 29, 1979

Mr. Robert Mahler
Diamond Head Oil Refining Co.
1401 Harrison Turnpike
Kearny, New Jersey 07032

Dear Mr. Mahler:

Mr. Michael V. Polito of my staff and Mr. John Burger of Ecology and Environment, a contractor to the United States Environmental Protection Agency, observed recent spills of oil, as evidenced by fresh glossy accumulations of oil at your leased facility, during their visit of October 19, 1979.

These oil spillages were located to the rear of your office building and also in areas adjacent to the building in which you conduct your oil packaging operation.

These oil spillages were observed to be hydrologically connected to a low property area in which oil floats atop accumulated water which, depending upon the volumes of facility runoff, leaves the Diamond Head property to the waters of the United States.

While the Newtown Refining Company has installed a temporary system to attempt to remove such oil, any failure or shortcoming of this temporary removal system would result in spillages of oil to the waters of the United States.

These spillages were discussed with you during Mr. Polito's visit to your facility on July 18, 1979 and shown to Mr. Daniel L. Martin, Esq., counsel for Newtown Refining, who was coordinating emergency spill response actions at the facility on October 19.

Such releases, if reaching waters of the United States, would result in violation of Public Law 92-593, Section 311, and would be subject to all provisions of this statute and regulations issued thereunder.

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You are advised to proceed with all haste to stop new spillages of oil and clean up past spillages.

If you have any questions concerning this matter, please contact Mr. Polito of this office at (201) 321-6632.

Sincerely yours,

Fred H. Rubel
Chief, Emergency Response
& Inspection Branch

cc: R. Tisch
T. Gervase
D. Martin
J. Brown

10/28/88

October 24, 1979

Mr. Robert Wahler
Diamond Head Oil Refining Co.
1401 Harrison Turnpike
Morris, New Jersey 07032

Dear Mr. Wahler:

Mr. Michael V. Polito of my staff and Mr. John Burger of Ecology and Environment, a contractor to the United States Environmental Protection Agency, observed recent spills of oil, as evidenced by fresh glossy accumulations of oil at your leased facility, during their visit of October 10, 1979.

These oil spillages were located to the rear of your office building and also in areas adjacent to the building in which you conduct your oil packaging operation.

These oil spillages were observed to hydrologically connect to a low property area in which oil floats atop accumulated water from which, depending upon the volumes of facility runoff, leave the Diamond Head property to the navigable waters of the United States.

While the Newtown Refining Company has installed a temporary system to attempt to remove such oil, any failure or shortcoming of this temporary removal system would result in spillages of oil to the navigable waters of the United States and tributaries thereto.

These spillages were discussed with you during Mr. Polito's visit to your facility on July 10, 1979 and shown to Mr. Daniel L. Martin, Esq., counsel for Newtown Refining, who was coordinating emergency spill response actions at the facility on October 10.

Such releases, if reaching navigable waters of the United States or tributaries thereto, would result in violation of Public Law 92-200, Section 311 and would be subject to all provisions of this statute and regulations issued thereunder.

You are advised to proceed with all haste to stop now spillages of oil and clean up past spillages.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely yours,

Fred H. Rubel
Chief, Emergency Response
& Inspection Branch

cc: R. Tisch
T. Garofino
D. Martin
J. Brown

Prepared by me